

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 917 OF 2006

Sundar Ramesh Talekar and Ors. ... Petitioners

Versus

The State of Maharashtra and Ors. ... Respondents

Mr.M.M. Vashi i/by M.P. Vashi & Associates for
Petitioner.

Mr. R.J. Mane, A.G.P. for R. No. 1.

Mr. G.D. Utangale for R. No. 2.

Mr. V.A. Thorat, Sr. Advocate with Mr. Sural
Shah for R. No. 3.

Mr. A.C. Singh with Mr. D.R. Shah for R. No. 4.

Mrs. P.A. Purandhare for R. No. 14.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATED : APRIL 03, 2006

P.C.

. The S.R.A. scheme has been sanctioned. The LOI has been issued in favour of Respondent No. 3 who had appointed Respondent No. 4 as developer. It is pointed out before the Court that there were 128 structures of which 124 have been entered into the agreement. In so far as Petitioner Nos. 1 and 2 are concerned, they have been held to be ineligible

on the ground that they did not produce documentary evidence. They will have a right to prefer an appeal. In so far as Petitioner No. 3 is concerned, it is pointed out that the Petitioner No. 3 has no structure but his mother has structure and the mother has been held to be eligible.

. Once the S.R.A. scheme has been sanctioned, and it is supported by overwhelming number of hutment dwellers which has to be at least 70% and in this case, we are satisfied that 70% test have met, this will not be a fit case for this court to exercise extra ordinary jurisdiction. Hence, petition rejected.

(F.I. REBELLO, J.)

(ANOO P V. MOHTA, J.)